



P0227845

Attorney Docket No.33-02

## INVENTOR'S DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name;

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **ENCAPSULATION AND DEAGGREGATION OF POLYENE ANTIBIOTICS USING POLY(ETHYLENE GLYCOL)-PHOSPHOLIPID MICELLES**

the specification of which was filed on **October 15, 2003** as Application Serial No. 10/687,558

I hereby authorize our legal representative to add reference to the Serial No. and/or filing date of the above-referenced application to this declaration.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

### **Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application to which priority is claimed:

Country	Application No.	Date of Filing (day,month,year)	Date of Issue (day,month,year)	Priority Claimed 35 U.S.C.119
NONE				Yes__ No__

### **Prior Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Application Serial Number	Date of Filing (day,month,year)
60/418,927	15 October 2002

### **Prior U.S. Application(s) and PCT International Application(s) Designating the United States**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT International application(s) designating the United States listed below:

Application Serial Number	Date of Filing (day,month,year)	Status(Patented,Pending,Abandoned)
NONE		

Insofar as the subject matter of each of the claims in this application is not disclosed in the prior United States, foreign or PCT International application(s) to which priority has been claimed above in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby appoint, both jointly and severally, as our attorneys and agents with full power of substitution and revocation, to prosecute this application and any corresponding application filed in the Patent Cooperation Treaty Receiving Office, and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

Lorance L. Greenlee, Reg. No. 27,894; Ellen P. Winner, Reg. No. 28,547; Sally A. Sullivan, Reg. No. 32,064; Donna M. Ferber, Reg. No. 33,878; G. William VanCleave, Reg. No. 40,213; Susan K. Doughty, Reg. No. 43,595; Heeja Yoo-Warren, Reg. No. 45,495; Tamala R. Jonas, Reg. No. 47,688; Stephen B. Barone, Reg. No. 53,968; Steven J. Penner, Reg. No. 54,371; Michael J. Curtis, Reg. No. 54-053; Laura L. Conley, Reg. No. 54,653; and Gary B.

Chapman, Reg. No. 51,279; all of Greenlee, Winner and Sullivan, P.C., 5370 Manhattan Circle, Suite 201, Boulder, CO 80303.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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10/23/03